

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM

STATUS REPORT

Pursuant to the Order filed August 16, 2004 (Doc. No. 7559), the United States, the State of New Mexico, the Rio Chama Acequia Association and the Asociación de Acéquias Norteñas de Rio Arriba file this joint status report on negotiations between the Parties on the quantification of the United States' claims under the Wild and Scenic Rivers Act.

In early September, the United States submitted its written proposal for settlement to the other Parties, and the Parties met in Santa Fe to discuss the proposal on September 8, 2004. Since that time, technical staff from the United States and the State of New Mexico have been meeting to discuss river flow issues. Further meetings are needed before any agreement may be reached. The technical staff plan to spend two days in the field in early December to make a joint inspection of the Rio Chama at several points.

Technical staff for the State of New Mexico are preparing a technical report describing the State's position with respect to minimum flow requirements. A draft of this report will be completed

in January 2005 and the report will be made available to the Parties for discussion purposes.

Attorneys for the Parties are preparing draft language for circulation that would be included in a final order quantifying the United States' claims under the Wild & Scenic Rivers Act.

The Parties do not request a status conference with the Court in February, 2005. The Parties agree that this matter is an appropriate one for referral to Special Master Vickie L. Gabin. Accordingly, they request that the Court refer further proceedings on the United States' claims to Special Master. The Parties propose to report on the progress of settlement negotiations at the bi-monthly status conference with the Special Master scheduled for April 12, 2005 in Santa Fe.

Respectfully submitted,

/s/ Ed Newville

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